

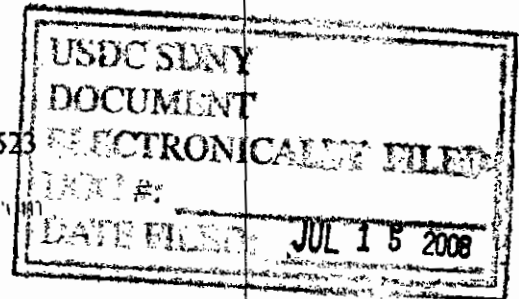
**Donald C. Greaves**

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**LETTER MOTION**

July 14, 2008

Honorable Laura Taylor Swain

United States District Court

Southern District of New York

500 Pearl Street

New York, N.Y.

USDC SDNY Civil Action No. 07 civ 6988 (LTS)

AMS Group, et al vs JP Morgan Chase, N.A.

**MEMO ENDORSED**

Dear Judge Swain:

We regret that once again, we must move for permission to substitute counsel if our counsel fails to comply with the court's latest deadline for filing the supplemental opposition papers by 12:00 p.m. noon today. While he may yet file by 12:00 p.m. noon, due to past experience, we are, very fearful that he will miss this deadline also at this most critical stage of litigation and thus permanently prejudice our rights and opportunity for due process and justice in our case.

An additional concern is that at this late hour (10:00 a.m. 7/14/08) we still have not seen the supplemental opposition papers ORDERED to be filed, even though he advised us that (a) it was only electronically blocked on 7/7/08 - 7/8/08 and (b) he "recovered it from [his] hard drive". On 7/11/08, he promised to "finish up the motion" but we have been unable to reach or hear from him by any means. Thus we lack assurance that-- even if he does file the supplemental papers timely today--it will be sufficiently consistent with our experience as presented in our affidavits, and we will need to review it before it is established as our position.

(Granting that his court schedule in other matters is very heavy as he advised, still, his refusal to communicate with us by any means (telephone, email, text message, personal visits to his office) since Friday, and, for that matter, earlier on, has us somewhat confused and we appeal to this court not to terminate our rights in this matter as a result of our counsel's failure to perform timely.. We are very clear that this is the most critical moment in our search for justice.

Yours truly,

A handwritten signature in dark ink, appearing to read "Donald C. Greaves".

Donald C. Greaves

*The papers were filed with the court today; accordingly the foregoing request is moot.*

Cc: Ms. Cynthia Boyer Okrent, Esq., Cullen &amp; Dykman LLP

SO ORDERED.

Cc: Clerk of the Court of USDC SDNY

 A handwritten signature in dark ink, appearing to read "Laura Taylor Swain".
 

LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE

CERTIFICATION OF SERVICE

USDC SDNY

X

AMS GROUP, et al

Civil Action No. 07 civ 6988 (LTS)

Plaintiff

Vs

JP Morgan Chase, N.A.

Defendant

X

Under penalty of perjury, I, Donald C. Greaves, affirm that I delivered a copy of annexed "Letter Motion" for Substitution of Counsel to defendant's Counsel, Cynthia Boyer Okrent, Esq., Cullen & Dykman LLP, 44 Wall Street, New York, N.Y. 10005, via U.S. Postal Service on 7/14/08 before 12:00 noon and that I delivered an original to Chambers of Judge Laura Taylor Swain and also I delivered a copy to the Clerk of the Court by hand at 500 Pearl Street, New York, N.Y.

*Somebody later*

Dated: July 14, 2008  
Place: New York, N.Y.

Respectfully,

*Donald C. Greaves*

Donald C. Greaves  
718 443-8424 & 646 309-7527

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